



**Office of the New York State  
Attorney General**

**Letitia James  
Attorney General**

December 4, 2024

VIA ECF

The Honorable Glenn T. Suddaby  
James T. Foley US Courthouse  
445 Broadway  
Albany, NY 12207

Re: Request for Leave to File Oversized Brief - L.R. 7.1(b)(1)  
*Mulhern Gas, et al. v Mosley*, Case No. 1:23-cv-01267-GTS-CFH

Dear Judge Suddaby:

Pursuant to Local Rule 7.1(b)(1), Defendant Walter T. Mosley, in his official capacity as New York Secretary of State, seeks leave of the Court to file a brief in support of his opposition to Plaintiffs' motion for summary judgment that exceeds the 25-page limit. Specifically, Defendant requests leave for up to 5 more pages, i.e., to file a brief that will not exceed 30 pages. These additional pages are warranted given the complexity and significance of the legal issues involved in this action, and will also allow Defendant to address the amicus brief of the Air-Conditioning, Heating, and Refrigeration Institute filed with the Court on December 4, 2024. Defendant has not opposed the filing of the amicus brief.

Defendant requested Plaintiffs' position on this request and received the following response:

Please include the following statement of Plaintiffs' position in your request: "Plaintiffs do not agree that Plaintiffs' and the proposed amicus's combined 25 pages of briefing warrant extending the Secretary's response to 30 pages but, in the interest of efficiency, will not file a response to the Secretary's request."

Please let us know if the Court has any questions or needs more information from Defendant.

Yours truly,

/s/Gavin G. McCabe

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